Devoted to Politics, Agriculture, The Sciences, Mechanic Arts, Literature, Miscellaneous Reading, General Intelligence and Commercial Summaries.

VOLUME 2.

CHARLESTOWN, JEFFERSON COUNTY, VIRGINIA, DECEMBER 26, 1845.

NUMBER 24.

SPIRIT OF JEFFERSON,

PUBLISHED WEEKLY, BY JAMES W. BELLER,

(OFFICE ON MAIN STREET, A FEW DOORS ABOVE THE VALLEY BANK,) At \$2 00 in advance-\$2 50 if paid within the year-or \$3 00 if not paid until after the expiration of the year.

No paper discontinued, except at the option of the publisher, until arrearages are paid. Subscriptions for less than a year, must in all cases be paid in advance.

\$\mathref{STADVERTISEMENTS}\$ will be inserted at the rate of \$1 00 per square for the first three insertions, and 25 cents for each continuance. Those not marked on the manuscript for a specified time, will be inserted until forbid, and contains a contain a liberal discount made. and CHARGED ACCORDINGLY. A liberal discount made to those who advertise by the year.

J. ATWOOD,

Artist, from Philadelphia, AS taken Rooms over Crane & Sudler's Store for a short time. Those who are desirous of having their Portraits taken, will please make early application. Dec. 12, 1845.

DR. STRAITH

AS been appointed by Madame Betts, of Philadelphia, sole agent for the sale of her Uterine Supporters, for the counties of Jefferson, Berkeley, Londoun, Clarke and Frederick. Certificates of the benefit derived from this instrument, and the opinions of Professors Jackson, Mutter, Wm. Harriss and others, will be shown on application at my office. Members of the Profession, prescribing its use, will be supplied at once. Charlestown, Dec. 12, 1845.

OYSTERS! OYSTERS!!

B. SMALL, 2d door West of Sappington's · Hotel, takes occasion to return his thanks to the citizens of Charlestown and its vicinity for the very liberal support extended towards his Oyster Establishment in this place. He has made ample arrangements to be supplied with the best OYSTERS the Baltimore market can afford, and, as heretofore, he will at all times be prepared to "fix 'em up" in a style so superior, that the most fastidious epicure will rejoice to partake.

All are invited to call and try at least one plate, raw, fried or stewed, as their tastes may prefer. Families will be furnished, at any time by the

Can, if a day's notice is given.

Cider and Ale of the best quality, will be kept on hand during the season. Dec. 12, 1845.

Dissolution.

THE Partnership existing between us was of April last. All persons having claims against the firm of John H. Beard & Co., are requested to present them immediately for settlement .ose who are indebted to the firm must expect a speedy settlement to be required.

JOHN J. H. STRAITH,

J. H. BEARD. Dec. 12, 1845 .- Free Press copy.

WANTED.

WISH to hire for the next year, three Negro one as a good washer and ironer-another as 28th October, 1790 chambermaid, and the third for a nurse. A liberal hire will be given. Any one having such will please write to me at this place, as early as possi-JOS. F. ABELL. Harpers-Ferry, Dec. 12, 1845.

JOHN F. BLESSING, From Baltimore,

RESENTS his compliments to the appetites of the citizens of Charlestown, and wishing them long continued and oft renewed appetitions, announces his readiness to minister to their cravings for Pound-cake, Confectionary and other delicacies of the seasons, as they "in gradation roll." He may be found located in the Store-room formerly occepied by the late C. W. Aisquith, where he will, in the very nick of time, furnish all niceties required for parties, weddings, &c., prepared so conformable to every palate, that he who has tasted their excellences once, will desire to taste them again, and he who tastes them oftenest will relish them best. Charlestown, Dec. 12, 1845.

FRUIT TREES.

ESSRS. G. & J. TAYLOR, of Adams county, Pa., respectfully announce that, having made engagements to furnish many persons in Jefferson county, Va., with a number of

Fruit Trees,
are prepared to furnish to order every variety of Fruit Trees. All orders left with . 11. Beard, in Charlestown, between now and the 18th of February, will receive prompt atten-G. & J. TAYLOR.

N. B.—Catalogues and prices can be seen at J. H. Beard's Drug Store.

Nov. 28, 1845-2m.

STONE-COAL AND LUMBER. TUST received and for sale, at Duffield's Depot,

Also a general assortment of seasonable Dry Goods, Groceries, Hardware, China, Glass and Queensware, Stoves

for Wood or Coal, &c., &c., Together with every description of Goods usually found in a Country Store. All of which we are determined to sell low for Cash or Country Pro-

WM. G. SHIPLEY, for J. CRONISE & SON. Duffield's Depot, Nov. 28, 1845-3t.*

FALL AND WINTER WORK.

WE call the attention of our customers and the public to our large stock of COARSE BOOTS AND SHOES, now on hand. We lion itself," are also prepared to furnish the following descriptions of work at the shortest notice, promptly: Men's and Boy's double and treble soled fine and

do Ladies' Gaiters, Walking Shoes, Jeffersons, Slippers, &c.; Misses and Children's Shoes of every variety.

We are offering the above work cheap for Cash or in exchange for Corn, Hides and Skins, Pork, Beef, &c. We invite a call before purchasing J. McDANIEL & CO. elsewhere. Sept. 12, 1845-tf.

Tobacco, Snuff and Segars. USTO SAWS, Principe, Regalia, Spanish and Half-Spanish Segars; Scotch, Rappee and Maccabau Snuffs;

Honey Dew, superior Peach Leaf, and other Tobacco, just received and for sale by
B. L. THOMAS. Halltown, Oct. 31, 1845.

From the New York Mirror LINES FOR THE NEW YEAR. A year hath past-a year liath severald A year hath past—a year hath several
Another cherished link from time;
Another storm in life is weathered,
And we are ploughing through duriprime;
Years are rolling as the billows,
Every moment's flying fast.
Days are crumbling as the pillers

Of some mighty temple past! Each and all are but a solemn Temple built upon the soul; Every crumbling year's a column Fallen from the mighty whole. The Past is the departed hour Haunting round the ruined wall; The present is the ivy flower, owing wildly over all!

Cherish fond the fallen pillar, And from it the lesson learn, Hearts are true that leve the willow Weeping o'er the broken urn: The youthful year is but the growing Cophan of the Parent dead; chember well while team are flowing What road to shun, and path to treed!

OUR RIGHT TO THE OREGON.

LETTER OF MR. BUCHANAN.

At the present moment, when the peace of our country is threatened by our stand on the Oregon question, we deem it a duty we owe to our readers, to present the able, dignified and Statesmanlike letter of the Secretary of State, Mt. Buchanan, in defence of our right to the whole of Oregon .-The merits of the whole controversy and the respective claims of each party, are here set forth, and we hope none will suffer it to past by, without a careful and attentive perusal.

PLENIPOTENTIARY.

DEPARTMENT OF STATE, Washington, August 30, 1815. The undersigned, Secretary of State of the United States, deems it his duty to make some observations in reply to the statement of her Britannic Majesty's envoy extraordinally and minister plenipotentiary, marked R. P., and dated 29th

July, 1845. Preliminary to the discussion, it is becessary to fix our attention upon the precise question under consideration, in the present stage of the negotiation. This question simply is, were the titles of the Nootka Sound convention was revived by the neither Spain nor the rest of the world had any Spain and the United States, when whited by the Florida treaty on the 22d of February 1819, good as against Great Britain, to the Oregon territory as far north as the Russian line, in the latitude of 54d. 40m. If they were, it will be as mitted that dissolved, by mutual consent, on the 1st day this whole territory now belongs to the United

> The undersigned again remarks that it is not American title "to the entire region drained by not thus impair its force.

It is contended, on the part of Great Britain, that the United States acquired and held the Span-

In opposition to the argument of the undersigned contained in his statement marked 1. B., maintaining that this convention had been annulled by the war between Spain and Great Brittin, in 1796, and has never since been revived by the parties, the British plenipotentiary, in his statement marked R. P. has taken the following positions:
1. "That when Spain concluded with the Uni-

ted States the treaty of 1819, commonly called the Florida treaty, the convention concluded between the former power and Great Britain, in 1790, was considered by the parties to it to be still in force."

And 2. "But that, even if no such treaty had ever existed, Great Britain would stand, with reference to a claim to the Oregon territory, in a position at least as favorable as the United States. The undersigned will follow, step by step, the argument of the British plenipotentiary in support of these propositions.

The British plenipotentiary states that the treaty of 1790 is not appealed to by the British government, as the American pleaspotentiary seems to suppose, as their 'main reliance' in the present discussion;" but to show that, by the Flori-

Oregon territory. -The undersigned had believed that ever since 1826, the Nootka convention has bern regarded tion. The Trees are all warranted to be grafted tion could have caused Messrs, Huskinson and with the best Fruit-none of them are less than Addington, the British commissioners, in specifysix feet high. The Trees will be delivered at ing their title, on the 16th December, 1826, to declare "that Great Britain claims no exclusive sovereignty over any portion of that territory. present claim, not in respect to any part, but to the whole, is limited to a right of joint pecupancy in common with other States, leaving the right of exclusive dominion in abeyance," And again: "By that convention (of Nootka) it was agreed a supply of Smith's and Grate Coal; Also, that all parts of the northwestern coast of Ameri-Cyprus Shingles, Laths, Palings, and White Pine ca, not already occupied at that time by either of the contricting parties, should thence orward be equally open to the subjects of both for all purposes of commerce and settlement-the lovereignly remaining in abeyance." But on this subject we are not left to mera inferences, how ver clear. The British commissioners, in their statement from which the undersigned has just quoted, have virtually abandoned any other title which Great Britain may have previously asserted to the territory in dispute, and expressly declare "that whatever that title may have been, however, either on the part of Great Britain or on the part of Spain, prior to the convention of 1790, it was thenceforward no longer to be traced in vague navratives of discoveries, several of them admitted to be apochryphal, but in the text and stipulations of that conven-

And again, in summing up their whole case, "Admitting that the United States have acquir-

do do Shoes; treaty of Florida, either in virtue or discovery, or, as is pretended, in right of Louisians, Great Britain maintains that the nature and extent of these rights, as well as the rights of Great Britain, are fixed and defined by the convention of Nocka," &c.,

The undersigned, after a careful extinination, &c., &c. can discover nothing in the note of the present British plenipotentiary to Mr. Calhoun, of the 12th September last, to impar the force of these declarations and admissions of his predecessors. On the contrary, its general tone is in perfect accord-

-Whatever may be the consequences, then, ance with them. whether for good or for evil -whether to strengthen or destroy the British claim—it is new too late for the British government to vary their position. If the Noetka convention confers upon them no

prove that his treaty was transient in its very nature; that it conferred upon Great Britain no right but that of merely trading with the Indians whilst

Besides, the negotiations which terminated in rights to the United States. The two powers are eignty of Spain over the territory. The British plenipotentiary has not attempted to resist these conclusions. If they be fair and legitimate, then it would not avail Great Britain, even if she should prove the Nootka convention to be still in force. On the contrary, this convention, if the construction placed upon it by the undersigned be correct, contains a clear, virtual admission on the part of Great Britain that Spain held the eventual right of sovereignty over the whole disputed territory; and consequently that it now belongs to the Uni-

The value of this admission, made in 1790, is the same whether or not the convention has continued to exist until the present day. But he is argument contained in his former statement.

ted States.

But is the Nootka Sound convention still in of the Florida treaty. force? The British plenipotentiary does not contest the clear general principle of public law, cluded at Madrid on the 28th of August, 1814, MR. BUCHANAN TO MR. PAKENHAM, BRITISH | which declares "that all the treaties of commerce which subsisted between the two parties (Great Britain and Spain) in 1796, were thereby rati-fied and confirmed;" and, 2d, "that in other respects it must be considered as an acknowledg-ment of subsisting rights—an admission of certain principles of international law," not to be revoked by war.

In regard to the first proposition, the undertentiary has contented himself with merely asserting the fact, that the commercial portion of former position, he might have repeated with great effect the argument contained in the note of Lord Aberdeen to the Duke of Sotomayor, dated the 30th June, 1845, in which his lordship clearly established that all the treaties of commerce subhis purpose to repeat the argument by which his sisting between Great Britain and Spain previous predecessor, Mr. Calhoun, has demonstrated the to 1796 were confined to the trade with Spain alone and did not embrace her colonies and remote possessions.

The second proposition of the British plenipotentiary deserves greater attention. Does the Nootka Sound Convention belong to that class of that the United States acquired and heal the Spanish tide subject to the terms and conditions of the
ish tide subject to the terms and conditions of the
Nootka Sound convention, concluded between
Nootka Sound convention, concluded between
Nootka Sound convention and sound convention allows of international laws of internationalaws of international laws of international laws of internationala right of all nations to make discoveries, plant set- had no idea that the Nootka, Sound conv tlements, and establish colonies on the Northwest | was in force. It had then passed away, and was coast of America, bringing with them their sove- forgotten. reign jurisdiction, there would have been much force in the argument. But such an admission never was intended to be made by Spain. The Nootka convention is arbitrary and artificial in the mere acknowledgment of simple and elementary principles consecrated by the law of nations. Great Britain and Spain, and acknowledges no with the northwestern coast of America. Neither acknowledgment of previously subsisting territorial rights in Great Britain, or any other nation .-It is strictly confined to future engagements; and these are of a most peculiar character.

Even under the construction of its provisions maintained by Great Britain, her claim does not extend to plant colonies; which she would have had a right to do under the law of nations, had the country been unappropriated; but it is limited to da treaty of 1819, the United States abquired no a mere right of joint occupancy, not in respect to right to exclusive dominion over any part of the any part, but to the whole, the sovereighty remaining in abeyance. And to what kind of occu-pancy? Not seperate and distinct colonies, but scattered settlements, intermingled with each other by the British government as their nain, it not over the whole surface of the territory, for the their only reliance. The very nature and peculiarity of their claim identified it with the construc- of which the subjects of each power should havefree access, the right of exclusive dominion retion, and necessarily excludes every other basis of title. What but to accord with this construcso sacred and so perpetual in their nature as not to be annulled by war. On the contrary, from the character of its provisions, it cannot be supposed for a single mement that it was intended for any purpose but that of a mere temporary arrangement between Great Britain and Spain .-The law of nations recognizes no such principles in regard to unappropriated territory as those embraced in this treaty; and the British plenipotentiary must fail in the attempt to prove that it contains " an admission of certain principles of international law" which will survive the shock of

But the British plenipotentiary contends that from the silence of Spain during the negotiations of 1818 between Great Britain and the United States respecting the Oregon territory, as well as" from her silence with respect to the continued occupation by the British of their settlements in the Columbia territory, subsequently to the convention of 1814," it may fairly "be inferred that Spain considered the stipulations of the Nootka convention, and the principles therein laid

down, to be still in force." The undersigned cannot imagine a case where the obligations of a treaty, once extinguished by war, can be revived without a positive agreement parties, after the conclusion of peace, should perform positive and unequivocal acts in accordance its provisions, these must be construed as with merely voluntary, to be discontinued by either at pleasure. But in the present case it is not even pretended that Spain performed any act in accordance with the convention of Nootka Sound, after her treaty with Great Britain of 1814. Her mere silence is relied upon to revive that convention.

The undersigned asserts confidently, that neither by public nor private law will the mere silence his rights, even if he had knowledge of this enagainst the powerful; and thus the encroach-

"in the text and stipulations of that convention that coast to the former by the Florida treaty of ment all possible conflict between the two titles itself."

22d February, 1819. The convention of joint occupation between the United States and Great Britain was not signed at London until the 20th were thus blended together. The title now vested true construction of the Nootka convention. He october 1818—but four months previous to the in the United States is just as strong as though had endeavored, and he believes successfully, to date of the Florida treaty; and the ratifications

the country should remain unsettled, and making the necessary establishments for this purpose; and the necessary establishments for this purpose; and that it did not interfere with the ultimate sover- the 20th October, 1818, when the convention was to confirm and strengthen each other. It Great would have had no motive to complain, as she was | to both titles, she has no right to interfere in the in the very act of transferring all her rights to the matter.

The undersigned deems it unnecessary to pursue

looked in silence on the continued occupation by the British of the settlements in the Columbia territory, subsequently to the convention of 1814; and therefore, she considered the Nootka Sound Convention to be still in force. The period of this silence, so far as it could affect Spain, commenced but insisted that their claim was at least good on the 28th day of August, 1814, the date of the willing to leave this point on the uncontroverted additional articles to the treaty of Madrid, and terminated on the 22d February, 1819, the date

Is there the least reason from this silence to infer an admission by Spain of the continued existence of the Nootka Sound convention? In the "that war terminates all subsisting treaties be-tween the belligerent powers." He contends, first place, this convention was entirely confined however, in the first place, that this convention is "to landing on the coasts of those seas, in places partly commercial; and that, so far as it partakes | not already occupied, for the purpose of carrying of this character, it was revived by the treaty con-cluded at Madrid on the 28th of August, 1814, try, or of making settlements there." It did not extend to the interior. At the date of this convention, no person dreamed that British traders from Canada, or Hudson's Bay, would cross the Rocky mountains and encroach on the rights of Spain from that quarter. Great Britain had never made any settlement on the north western coast of America, from the date of the Nootka Sound convention until the 22d February, 1819; nor so far as the undersigned is informed, has she done signed is satisfied to leave the question to rest upon his former argument, as the British plenipotherefore, have complained of any such settlement. In regard to the encroachments which had been made from the interior by the Northwest Company, at least as good as that of the United States.'

has not attempted-she had been exhausted by one long and bloody war, and was then engaged in another with her colonies; and was, besides, negotiating for a transfer of all her rights on the orthwestern coast of America to the United States. Surely these were sufficient reasons for ner silence, without inferring from it that she ac-

The British plenipotentiary alledges, that the reason why Great Britain did not assert the existence of the Nootka convention during the negotiations between the two governments in 1818, the highest degree, and is any thing rather than was that no occasion had arisen for its interposition, the American government not having then acquired the title of Spain. It is very true that In all its provisions it is expressly confined to the United States had not then acquired the Spanish title; but is it possible to imagine, that throughright whatever in any third power to interfere out the whole negotiation, the British commissioners, had they supposed this convention to have in its terms, nor in its essence, does it contain any been in existence, would have remained entirely silent in regard to a treaty which, as Great Britain now alleges, gave her equal and co-ordinate rights with Spain to the whole nothwest coast of America? At that period Great Britian confined her claims to those arising from discovery and purchase from the Indians. How vastly she could have strengthened these claims, had she then supposed the Nootka convention to be in force with ner present construction of its provisions. Even in 1824 it was first introduced into the negotiation. not by her commissioners, but by Mr. Rush, the American plenipotentiary.

But the British plenipotentiary argues, that the United States can found no claim on discovery, exploration, and settlement, affected previously to the Florida treaty, without admitting the principles of the Nootka convention;" " nor can they appeal to any exclusive right as acquired by the Florida treaty, without upsetting all claims adduced in their own proper right, by reason of discovery, exploration, and settlement antecedent to

that arrangement.' This is a most ingenious method of making two distinct and independent titles held by the same nation worse than one-of arraying them against each other, and thus destroying the validity of both.—
Does he forget that the United States own both these titles, and can wield them either separately never, as he before observed, instituted any comor conjointly against the claim of Great Britain at their pleasure? From the course of his remarks t might be supposed that Great Britain, and not rely upon both, whether jointly or separately-he the United States had acquired the Spanish title under the Florida treaty. But Great Britain is a fully pursuaded that either the one or the other is third party—an entire stranger to both these titles | good against Great Britain; and that no human and has no right whatever to marshal the one ingenuity can make the Spanish title, now vested gainst the other.

By what authority can Great Britain interpose in this manner? Was it ever imagined in any court of justice that the acquisition of a new title destroyed the old one, and vice versa, that the pura question of mere private right, it would be con- tentiary in departing from the course of his prechase of the old title destroyed the new one? In sidered absurd, if a stranger to both titles should say to the party who made a settlement, You shall not avail yourself of your possession, because this dations of British title. Commencing with diswas taken in violation of another outstanding title; and although I must admit that you have also the score of antiquity, presents a strong contrast acquired this outstanding title, yet even this shall to this effect between the parties. Even if both avail you nothing, because, having taken possession previously to your purchase, you thereby evinced that you did not regard such title as valid. of Great Britain, that this convention, (the Nootengraved in 1788, in the city of Mexico, which
And yet such is the mode by which the British ka,) which was dictated by her to Spain, conplenipotentiary has attempted to destroy both the American and Spanish titles. On the contrary, in the case mentioned, the possession and the out standing title being united in the same individual, these conjointed would be as perfect as if both had been vested in him from the beginning.

The undersigned, whilst strongly asserting both these titles, and believing each of them separately of one party, whilst another is encroaching upon to be good as against Great Britain, has studiously avoided instituting any comparison between them. croachment, deprive him of these rights. If this principle be correct as applied to individuals, it that the discovery by Captain Gray of the mouth principle be correct as applied to matrices.

In the discovery by Capacin with Spain; of the Columbia, its exploration by Lewis and holds with much greater force in regard to nations.

Of the Columbia, its exploration by Lewis and long the continent before and that, too, under a sovereign peculiarly to true that in coasting along the continent before and that, too, under a sovereign peculiarly to the reached this place, he had observed Cape Flatnacious of the territorial rights of her empire. toria, were encroachments on Spain, she, and she fect title against the weak.

In the present case, it was scarcely possible for Spain even to have learned the pendency of ne
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States. But Spain, instead of complaining of States.

In the present case, it was scarcely possible for tentiary, although they were even quoted by peculiar observation, and were even quoted by the British plenipotent facts had not be, controverted by the British plenipotent facts had not be, controverted by the British plenipotent facts had not be, controverted by the British plenipotent facts had not be, controverted by the British plenipotent facts had not be, controverted by the British plenipotent facts had not be, controverted by the British plenipotent facts had not be, controverted by the British plenipotent facts had not be, controverted by the British plenipotent facts had not be.

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But, says the British plenipotentiary, Spain this branch of the subject further than to state, that the United States, before they had acquired the title of Spain, always treated that title with against Great Britain;" and the convention of October 20, 1818, unlike that of Nootka Sound, reserved the claims of any other power or State to any part of the said country. This reservation could have been intended for Spain alone. But, ever since the United States acquired the Spanish title, they have always asserted and maintained their right in the strongest terms up to the Russia line, even whilst offering, for the sake of harmony and peace, to divide the territory in dispute by the 49th paraled of latitude.

The British Plenipotentiary, then, has entirely failed to sustain his position, that the United States can found no claim on discovery, exploration, and settlement, without admitting the principles of the Nootka convention. That convention died on the commencement of the war between Spain and England, in 1796, and has never

since been revived. The British Plenipotentiary next "endeavors to had never existed, the position of Great Britain in regard to her claim, whether to the whole or to any particular portion of the Oregon territory, is order to establish this positition, he must show that the British claim is equal in validity to the can never now be separated. They are one and the same. Different and diverging as they may have been before the Florida treaty, they are now blended together and identified. The separate two powers previous to that date must now be miesced in the continued existence of the Nootka of the subject, the undersigned was surprised to onvention. If Spain had entertained the least find that in the comparison and contrast instituted | it was natural for him to believe that he had made idea that the Nootka convention was still in force, by the British plenipotentiary between the claim her good faith and her national honor would have of Great Britain and that of the United States, he caused her to communicate this fact to the United had entirely omitted to refer to the discoveries,

> press his surprise that the British plenipotentiary should again have invoked in support of the British title the inconsistency between the Spanish and American branches of the title of the United States. The undersigned cannot forbear to consions. Stated in brief, the argument is this: the because inconsistent with that of Spain; and the Spanish title is not good against Great Britain, because inconsistent with that of the United States The undersigned had expected something far different from such an argument in a circle. He had anticipated that the British plenipotentiary would have attempted to prove that Spain had no right to the northwestern coast of America; that it was vacant and unappropriated; and hence, under the law of nations, was open to discovery, expioration, and settlement by all nations. But no rests his argument solely on the declaration made by the undersigned, that the title of the United States to the valley of the Columbia was perfect and complete before the treaties of joint occupation of October, 1818, and August, 1827, and before the date of the Florida treaty, in 1819. But the British plenipotentiary ought to recollect that this title was asserted to be complete not against Spain, but against Great Britain; that the argument was conducted not against a Spanish, but a afterwards, called King George's Sound." British plenipotentiary; and that the United States, And farther, that the statement from which he extracts these declarations was almost exclusively parison between the American and the Spanish March, 1775. titles. Holding both-having a perfect right to has strongly asserted each of them in their turn, Briefly to illustrate and enforce this title, shall be the remaining task of the undersigned.

And, in the first place, he cannot but commend the frankness and candor of the British plenipodecessors, and rejecting all discoveries previous to those of Captain Cook, in the year 1778, as founcovery at a period so late, the Spanish title, on Heceta, Ayala, and Quadra. Heceta discovered to that of Great Britain. The undersigned has stated as a historical and "striking fact, which must have an important bearing against the claim | Bucareli. I possess two very curious small maps, ka,) which was dictated by her to party of tains no provision imparting the ultimate sover-tains no provision imparting the ultimate sover-eignty which that power had asserted for nearly eignty which that power had asserted for nearly In the face of these incontestible facts, the Bri-North America as far north as the 61st degree of tish plenipotentiary says "that Captain Cook must latitude, and which had never been seriously also be considered the discoverer of Nootka Sound, questioned by any European nation. This had in consequence of the want of authenticity in the been maintained by Spain with the most vigilant jealousy ever since the discovery of the Ameri- And yet Cook did not even sail from England uncan continent, and had been acquiesced in by all til the 12th July, 1776—nearly two years after European governments. It had been admitted Perez had made this discovery. The chief object even beyond the latitude of 54 degrees 40 min- of Cook's voyage was the discovery of a northutes north, by Russia, then the only power hav- west pussage; and he never landed at any point ing claims which come in collision with Spain; of the continent south of Nootka Sound. These historical facts had not been, as they tery; but he was entirely ignorant that this was

such rights as they claim, they cannot at this late bourge behind its provisions, and set up claims between the United States and Great ry, 1819, by the Florida treaty, transferred the which, in 1826, they admitted had been merged where the United States. From that mode Nuez, the Spanish ambassador at Paris, to M. de Montmorin, the Secretary of the Foreign Department of France, under date of June 16th, 1790: "By the treaties, demarkations, takings of possession, and the most decided acts of sovereignty exercised by the Spaniards in these stations from the reign of Charles II, and authorized by that monarch in 1692, the original vouchers for which shall be brought forward in the course of the negot ation, all the coast to the rot of the western America, on the side of the South sea, as far as beyond what is called Prince William's

sound, which is in the 61st degree, is acknow-ledged to belong exclusively to Spain," Compared with this ancient claim of Spain, acquiesced in by all European nations for centuries, the claim of Great Britain, sended on discoveries commenced at so late a period as the year 1778, must make an unfavorable first impression.

Spain considered the northwest coast of America as exclusively her own. She did not send out expeditions to explore that coast, for the purpose of rendering the title more valid. When it suited her own convenience, or promoted her own interest, she fitted out such expeditions of discovery to ascertain the character and extent of her own territory; and yet her discoveries along that coast are far earlier than those of the British.

That Juan de Fuca, a Greek in the service of Spain, in 1592, discovered and sailed through the strait now bearing his name, from its southern to its northern extremity, and thence returned by the same passage, no longer admits of reasonable doubt. An account of this voyage was published in London in 1625, in a work called the Pilgrims, by Samuel Purchas. This account was received from the lips of Fuca himself at Venice, in April, 1596, by Michael Lock, a highly respectable English merchant.

During a long period, this voyage was deemed fabulous, because subsequent navigators had in vain attempted to find these straits. Finally, after they had been found, it was discovered that the descriptions of de Fuca corresponded so accurately with their geography, and the facts preprove that, even if the Nootka Sound convention sented by nature upon the ground, that it was no longer possible to consider his narration as fabu-It is true that the opening of the straits from the south lies between the 48th and the 49th parallels of latitude, and not between the 47th and 48th parallels, as he had supposed; but this mistake may be easily explained by the inaccuracy titles both of Spain and the United States. These so common throughout the sixteenth century in ascertaining the latitude of places in newly discovered countries.

It is also true that de Fuca, after passing through these straits supposed he had reached the discoveries, explorations, and settlements of the Atlantic, and had discovered the passage so long and so anxiously sought after between the two considered as if they had all been made by the oceans; but from the total ignorance and misap-United States alone. Under this palpable view prehensions which prevailed at that early day of the geography of this portion of North America, this important discovery.

Justice has at length been done to his memory, and these straits which he discovered, will, in all future time, bear his name. Thus, the merit of the discovery of the straits of Fuca, belong to Spain; and this nearly two centuries before they had been entered by Captain Berkeley, under the Austrian flag.

It is unnecessary to detail the discoveries of the Spaniards, as they regularly advanced to the north from their settlements on the western coasts of North America, until we reach the voyage of Capt. Juan Perez, in 1774. That navigator was gratulate himself upon the fact, that a gentleman of Mr. Pakenham's acknowledged ability has been ceed, in the corvette Santiago, to the 60th degree reduced to the necessity of relying chiefly upon such a support for sustaining the British preten-Blas on the 25th January, 1774. In the perform-American title is not good against Great Britain, ance of this commission, he landed first on the northwest coast of Queen Charlotte's island, near the 54th degree of north latitude; and thence proceeded south, along the shore of that island and of the great islands of Quadra and Vancouve; and then along the coast of the continent, until he reached Monterey. He went on shore and held intercourse with the natives at several places; and especially at the entrance of a bay in latitude 191 degrees, which he called Port San Lorenzo-the same now known by the name of Nootka Sound. In addition to the journals of such thing. On this vital point of his case, he rests his argument solely on the declaration made we have the high authority of Baron Humboldt in its favor. That distinguished traveller, who has access to the manuscript documents in the city of Mexico, states that "Perez, and his pilot Estevan Martinez, left the port of San Blas on the 24th January, 1774. On the 5th August they anchored (the first of all European navigators) in Nootka road, which they called the port of San Lorenzo, and which the illustrious Cook, four years

In the next year, (1775,) the vicercy of Mexiand not Great Britain, represent the Spanish title. | co again fitted out the Santiago, under the command of Bruno Heceta, with Perez, her former commander, as ensign, and also a schooner, calldevoted to prove, in the language quoted by the British plenipotentiary himself, that "Spain had a de la Bodegary Quadra. These vessels were good title, as against Great Britain, to the whole | commissioned to examine the northwestern coast of the Oregon territory." The undersigned has of America as far as the 65th degree of latitude, and sailed in company from San Blas on the 15th It is unnecessary to enumerate the different

places on the coast examined by these navigators, either in company or separately. Suffice it to say, that they landed at many places on the coast from the 41st to the 57th degrees of latitude, on all of which occasions they took possession of the in the United States, worse than it would have been had it remained in the hands of Spain. country in the name of their sovereign, according to a prescribed regulation; celebrating mass, reading declarations asserting the right of Spain to the territory, and erecting crosses with inscriptions, to commemorate the event. Some of these crosses were afterwards found standing by British navigators. In relation to these voyages, Baron Humboldt says:-"In the following year, (1775, after that of Perez.) a second expedition set out from San Blas, under the command of the mouth of the Rio Columbia, called it the Entrada de Heceta, the peak of San Jacinto, (Mount Epgcomb,) near Norfolk bay and the fine port of